

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**DAVID WALLACE and  
YOLANDA WALLACE**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO. 3:05CV774WA**

**ALLSTATE INDEMNITY COMPANY,  
JOHNNY MIMS INSURANCE AGENCY,  
WILBUR JORDAN and RICK GILLEY**

**DEFENDANTS**

---

---

**ORDER**

This matter came before the court on the Plaintiffs' Motion to Quash Subpoenas Duces Tecum and/or for Protective Order. The court has reviewed the Motion and the response and is of the opinion that the Motion should be denied. As a procedural matter, the Plaintiff did not attach a Certificate of Good Faith to the Motion, as is required by Fed. R. Civ. P. 26(c) and Unif. Local R. 37.1(A). Moreover, as a substantive matter, the court is not persuaded that any legally cognizable privilege attaches to the Plaintiffs' utility records.

IT IS, THEREFORE, ORDERED that the Plaintiffs' Motion to Quash Subpoenas Duces Tecum and/or Protective Order is hereby **denied**.

IT IS SO ORDERED, this the 19<sup>th</sup> day of January, 2007.

---

S/Linda R. Anderson  
UNITED STATES MAGISTRATE JUDGE